

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION**

In re: Thomas James Till d/b/a Till Premium Alfalfa Debtor.	Bankruptcy Case No. 23-60146-mmp Chapter 7
KAPITUS SERVICING, INC., AS SERVICING AGENT FOR KAPITUS LLC Plaintiff, vs. THOMAS JAMES TILL, individually and ALFAMAX ANIMAL NUTRITION LLC, Defendants.	Adversary No. 23-06007-mmp

AGREED MOTION TO EXTEND DEADLINES PERTAINING TO DISCOVERY

COMES NOW Kapitus Servicing, Inc., as Servicing Agent for Kapitus LLC (the “Plaintiff”) and Thomas James Till, individually and Alfamax Animal Nutrition LLC (the “Defendants”) hereby file this Agreed Motion to Amend Scheduling Order (the “Motion”). In support thereof, Plaintiff and Defendants (collectively, the “Parties”) state as follows:

1. Thomas James Till (the “Debtor”) filed for relief under Title 11 of the U.S. Code on March 21, 2023, in the Bankruptcy Court for the Western District of Texas in case number 23-60146.
2. The Plaintiff initiated the above referenced adversary proceeding, case number 23-06007, June 20, 2023. [ECF 1].

3. On March 25, 2024, the parties filed their most recent Joint Motion to Extend Certain Deadlines and Reset the Docket Call. [ECF 38].

4. On March 26, 2024, the Court entered its Order Granting Joint Motion to Extend Certain Deadlines and to Reset Docket Call (the “Order Setting Deadlines”). [ECF 39].

5. Under the Order Setting Deadlines, discovery was to conclude on or before June 6, 2024. [ECF 39].

6. The parties have not been able to resolve this case, and thus request additional time to conduct discovery.

7. Accordingly, the Parties request the Court amend the Scheduling Order in this case as follows:

Deadline to conclude discovery:	October 11, 2024
Deadline to depose expert witnesses:	October 11, 2024
Deadline to file dispositive motions:	November 15, 2024
Dispositive motion hearing deadline:	December 13, 2024
Deadline to file and exchange witness and exhibit lists:	December 9, 2024
Deadline to file trial brief addressing disputed issues of law:	January 17, 2025
Deadline to submit Joint Pretrial Order:	January 17, 2025

8. The Parties are in agreement that the deadlines should be amended as outlined above.

9. Thus, good cause exists for granting the relief requested.

WHEREFORE, the Parties respectfully request that the Court enter an Order granting this Agreed Motion to Amend Scheduling Order, and for all other and further relief as this Court deems appropriate.

Respectfully submitted,

SPENCER FANE, LLP

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CERTIFICATE OF SERVICE

I certify that on July 12, 2024, a true and correct copy of the foregoing document was served via e-mail on counsel listed below:

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